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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,695	02/02/1999	HISANORI NAKAJIMA	Q53164	7689

7590 09/08/2003

SUGHRUE MION ZINN MACPEAK & SEAS  
2100 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 200373213

EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 09/08/2003

19

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/240,965	HIMMEL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Maikhanh Nguyen	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This action is responsive to communications: Request for Reconsideration filed 07/24/2003 to the original application filed 02/02/1999.
2. Claims 1-17 are currently pending in this application. Claims 1, 7, 10 and 17 are independent claims.

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Takeda** (U.S. 6,229,622 - filed 02/1997) in view of **Shaw et al.** (U.S. 5,602,974 – filed 10/1994).

**As to independent claim 1**, Takeda teaches method of previewing print data, comprising the steps of:

-obtaining print data (*print data is received; col.4, lines 61-65*) which can be printed by a printing device (*the printer unit 220; col.3, lines 53-62*), and spooling the print data into a predetermined memory (*indicates the spool area in which data to be printed have been stored; col.5, lines 10-17*); and

- the spooled print data into a display data of a predetermined structure and displaying the display data on a displaying device (*the file in each spool area... are displayed on the display unit 221; col.9, lines 9-17*);

- editing the display data which is being displayed, on the basis of an edit instruction data which is input at the display (*the file in each spool area...editing and previewing are displayed on the display unit 221; col.9, lines 9-17*);

Takeda, however, does not explicitly teach “inversely converting the edited display data into a structure of the spooled print data.”

Shaw teaches inversely converting the edited display data into a structure of the spooled print data (*Instead of the document being converted into a format specific to the selected printer, the document is converted into the enhanced metafile format and spooled; col.5, lines 42-65*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Shaw with Takeda because it would have provided the capability for minimizing processing time not only at the P.C. but also at the printer by enabling jobs terminated while in the process of printing to be started at the point in the job where termination occurred.

**As to dependent claim 2**, Takeda teaches a process of correcting color components contained in the display data which is being displayed (*the printer unit 220 prints image data...a CMYBk-color laser-beam printer; col.3, lines 52-62*).

**As to dependent claim 3**, Takeda teaches the print data consists of actual print information based on a print request and added-value information which is posteriorly added (*performing printout based upon print data received; col.1, lines 37-47*), the step of editing the

display data uses only the added-value information which is being displayed, as an edition object *(apply image processing and editing on a per-spool basis; col.7, lines 54-63).*

**As to dependent claim 4**, Takeda teaches the added-value information is a template data which can be overlapping printed onto plural allocated pages, the allocated pages being allocated to one print sheet, and, when a position of the template data in one of the allocated pages is changed, the position change is reflected on the other allocated pages *(by virtue of the processing.... the spool area is changed; col.7, lines 39-45).*

**As to dependent claim 5**, Takeda teaches movement of the position of the template data in one of the allocated pages is interlocked with movement of the position of the template data in the other allocated pages *(a spool area provided ... each area obtained by partitioning corresponds to a user; col.4, lines 24-33).*

**As to dependent claim 6**, Takeda teaches the added-value information is a template data which can be overlapping printed onto plural allocated pages, the allocated pages being allocated to one print sheet, and the position of the template data in one of the allocated pages is varied depending on whether the page is an odd page or an even page *(printing processing starts.... following spool area allocation; col.4, lines 56-59).*

**Independent claim 7** is directed to a previewing device for performing the method of claim 1, and is similarly rejected under the same rationale.

**As to dependent claim 8**, Takeda teaches the data editing means includes object detecting means for detecting an object of a region which is designated in the display data which is being displayed *(the settings of a spool area created; col.8, lines 5-26)*, and object editing means for editing contents of the detected object on the basis of an instruction, and the data

editing means edits the display data in the unit of object (*editing and previewing are displayed on the display unit 221; col.9, lines 9-17*);

**As to dependent claim 9**, Takeda teaches the data editing means edits display data which are spooled and converted in a predetermined time period (*when a prescribed time is attained.... been spooled are output at such time; col.7, lines 54-63*).

**Independent claim 10** is for recording media presenting the method of claim 1, and is similarly rejected under the same rationale.

**As to dependent claim 11**, Takeda teaches the data edit process is a process of detecting an object added to the print data and editing contents of the object on the basis of an instruction (*editing on a per-spool basis; col.7, lines 55-63*).

**Dependent claims 12-16** include the same subject matter as in claims 2-6, and are similarly rejected under the same rationale.

**Independent claim 17**, the rejection of independent claim 1 above is incorporated herein in full.

### ***Response to Arguments***

4. Applicant's arguments filed 07/24/2001 have been fully considered but they are not persuasive.

Applicant argues that *Takeda does not teach inversely converting edited display data into a structure of spooled print data, but contends that page 1, lines 14-19 of the APA does.*

*Applicant submits that APA does not suggest such a feature.* (Remarks, page 2, lines 1-3)

In response, the Examiner agrees. However, the examiner believes that the teachings of newly cited reference "Instead of the document being converted into a format specific to the selected printer, the document is converted into the enhanced metafile format and spooled; Shaw; col.5, lines 42-65" meets the claimed limitations.

The rejections in view of Takeda and the APA are withdrawn. The Examiner believes that the introduction of Shaw, as combined with Takeda meets the limitations as claimed by Applicant.

As to dependent claims 2-6, 8-9, 11-16 and independent claim 17, the arguments are not persuasive for reason as discussed above with regards to independent claim 1.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bain et al.	U.S Patent No. 5,287,434	issue dated: Feb. 15, 1994
Kageyama et al.	U.S Patent No. 5,303,336	issue dated: Apr. 12, 1994
Nomura et al.	U.S Patent No. 5,327,526	issue dated: Jul. 05, 1994
Shaw et al.	U.S Patent No. 5,845,058	issue dated: Dec. 01, 1998
Suzuki et al.	U.S Patent No. 6,213,652	issue dated: Apr. 10, 2001

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092.

The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

**Contact Information:**

Any response to this action should be mailed to:

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Or fax to:

AFTER-FINAL faxes must be signed and sent to (703) 746-7238.


OFFICIAL faxes must be signed and sent to (703) 746-7239.

NON OFFICIAL faxes should be sent to (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

Maikhanh Nguyen  
August 26, 2003

  
JOSEPH H. FEILD  
PRIMARY EXAMINER